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SERVICE DATE - NOVEMBER 9, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 20X)

WISCONSIN CENTRAL LTD.--ABANDONMENT
EXEMPTION--IN BROWN COUNTY, WI

Decided: November 7, 2000

On November 17, 1999, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the State of Wisconsin Department of Natural Resources (WisDNR) to negotiate an interim trail use/rail banking agreement with Wisconsin Central Ltd. (WCL) for a 1.63-mile line of railroad between milepost 198.37 and milepost 200 in Green Bay, Brown County, WI.¹ By decision served May 11, 2000, the negotiating period under the NITU was extended to November 12, 2000, for a portion of the right-of-way from milepost 198.37 to milepost 199.84.

In a joint petition filed October 30, 2000, WCL and WisDNR request an additional 180-day extension of the negotiating period. The parties state that WisDNR has made an initial timely offer to WCL. However, the parties indicate that, while negotiations are currently continuing in good faith between them, more time is needed to finalize negotiations.

The negotiation period under the NITU will be extended for an additional 180 days to May 11, 2001. An extension of the negotiation period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247 (Trails Act). The purpose of the Trails Act is to preserve rail corridors for possible reactivation of rail service by permitting and encouraging their interim use as recreational trails. See Policy Statement on Rails to Trails Conversions, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990).

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to May 11, 2001.
2. This decision is effective on its service date.

¹ Notice of the exemption was published in the Federal Register on October 19, 1999 (64 FR 56384-85).

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By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary